



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Environmental
Conservation

OFFICE OF THE COMMISSIONER

Post Office Box 111800
Juneau, Alaska 99811-1800
Main: 907.465.5066
Fax: 907.465.5070

August 10, 2022

Mr. Casey Sixkiller
U.S. EPA Region 10
Regional Administrator's Office, 21-B03
1200 Sixth Avenue, Suite 155
Seattle, WA 98101

Subject: SIP Submittal of Air Quality Permit Administration and Compliance Fees and Air Quality Emission Fees Revisions and Electronic Submission Requirements and Consistency of Reporting Methodologies Revisions

Dear Mr. Sixkiller:

This letter provides amendments to Alaska's *State Air Quality Control Plan* or State Implementation Plan (SIP) for air quality permit administration and compliance fees, air quality emission fees, and associated regulations and for electronic submission requirements and consistency of reporting methodologies. The revisions were two separate packages, but both packages were signed and filed on the same day and will become effective on the same date, so DEC is submitting them together under one letter. However, they will be submitted as two separate entries in SPeCS to make document tracking easier. Both revised regulations packages have an effective date of September 7, 2022. Specific provisions are submitted for EPA approval, while other provisions are included for informational purposes only, to show a complete record of the rulemaking.

On August 8, 2022, the Lt. Governor signed and filed the following changes to the Alaska Department of Environmental Conservation's (DEC) regulations in 18 AAC 50:

Fee Package:

- Amend 18 AAC 50.030(a) to adopt revisions to the State Air Quality Control Plan by amending Volume III Appendix to Volume II, Section II.A to incorporate the proposed regulations after public review and comment. This appendix within the State Air Quality Control Plan contains the state's air quality regulations.
- Repeal and readoption of 18 AAC 50.400 to revise permit administration and compliance fees in accordance with the fee study report, clarify language for consistency, and add definitions.
- Amend 18 AAC 50.410(a) to revise emission fee exemptions.
- Amend 18 AAC 50.410(b) and (g) to revise emission fees in accordance with the fee study report.
- Amend 18 AAC 50.420(a) to revise language addressing billing procedures and timing of supplemental billing.

Electronic Submission and Consistency in Reporting Methodologies Package:

- Amend 18 AAC 50.030(a) to adopt revisions to the State Air Quality Control Plan by amending Volume III Appendix to Volume II, Section II.A to incorporate the proposed regulations after public review and comment. This appendix within the State Air Quality Control Plan contains the state's air quality regulations.
- Amend 18 AAC 50.040(g) to add a new paragraph adopting by reference federal regulations for municipal solid waste landfills.
- Add new section 18 AAC 50.270 that would establish requirements for electronic submission of documents required under air permits and authorizations, establish the procedures the department will follow to develop additional forms for electronic reporting requirements, and provide a definition of the permittee portal which will be used for electronic submissions.
- Add new section 18 AAC 50.275 that would require sources to use consistent pollutant-specific emissions factors and calculation methods for all reporting requirements under 18 AAC 50.

DEC is submitting the relevant parts of the Fees amendments and Electronic Submission and Consistency in Reporting Methodologies amendments to EPA for approval today. Changes and additions to the following revised and new sections of the 18 AAC 50 are being submitted for approval:

- 18 AAC 50.400(d) – (h)
- 18 AAC 50.270
- 18 AAC 50.275

We will submit the documents listed in the enclosures via the EPA's SPeCS system. If requested, we can provide one paper copy and one electronic version of the documents to Kristin Hall of your staff (note that the electronic version would be an exact duplicate of the paper copy). Jason Olds is available to your staff to respond to questions or to otherwise assist. He can be reached at (907) 465-5109. I or Commissioner Brune would be pleased to discuss any of this with you.

Sincerely,



Emma Pokon
Acting Commissioner

cc: Gina Bonifacino, Chief, Air Planning Section, EPA Region 10
Kristin Hall, Air and Radiation Division, EPA Region 10
Emma Pokon, Deputy Commissioner, DEC
Jason Olds, Acting Director, Division of Air Quality
Nick Czarnecki, Program Manager, ANPMS Program, DEC
Jim Plosay, Program Manager, AP Program, DEC
Moses Coss, Acting Program Manager, Compliance Program, DEC

Enclosures
Fees Package Documents

- Lt. Governor's certified Filing Certificate for Permanent Regulations, including Signed Adoption Order and Memorandum of Filed Permanent Regulations (two separate documents), signed on August 8, 2022, with an effective date of regulations of September 7, 2022;
- Alaska Statutes Granting the Alaska Department of Environmental Conservation Legal Authority to Adopt Regulations
- Rekeyed regulation amendments 18 AAC 50 prepared by the Department of Law for transmittal to the Lt. Governor for certification and filing, with Register 243, October 2022, handwritten;
- Readoption Draft of 18 AAC 50 regulations, dated July 29, 2022;
- Adoption Draft of 18 AAC 50 regulations, dated May 23, 2022;
- Public Review Draft of 18 AAC 50 regulations which shows the changes made to the regulations, with bold lettering as new language and bracketed language as old language, dated February 9, 2022;
- Notice of Public Comment Period, signed February 9, 2022;
- Affidavit of Notice of Proposed Adoption of Regulations and Furnishing of Additional Information, signed April 22, 2022;
- Affidavit of Publication for the Public Notice, Anchorage Daily News, signed March 28, 2022;
- Affidavit of Cancellation of Oral Hearing, signed April 22, 2022;
- Response To Comments, dated April 22, 2022;
- Affidavit of Agency Record of Public Comment, signed April 22, 2022;
- Explanation of Proposed Changes, February 2022;
- Volume III, Appendices, Section II.A, State Air Statutes and Regulations, adopted July 29, 2022;
- Final Fee Report, dated May 23, 2022;
- Final Fee Report Appendix, Dated May 23, 2022.

Electronic Submission and Consistency in Reporting Methodologies Package Documents

- Lt. Governor's certified Filing Certificate for Permanent Regulations, including Signed Adoption Order and Memorandum of Filed Permanent Regulations (two separate documents), signed on August 8, 2022, with an effective date of regulations of September 7, 2022;
- Alaska Statutes Granting the Alaska Department of Environmental Conservation Legal Authority to Adopt Regulations
- Rekeyed regulation amendments 18 AAC 50 prepared by the Department of Law for transmittal to the Lt. Governor for certification and filing, with Register 243, October 2022, handwritten;
- Reoption Draft of 18 AAC 50 regulations, dated July 29, 2022;
- Adoption Draft of 18 AAC 50 regulations, dated May 23, 2022;
- Public Review Draft of 18 AAC 50 regulations which shows the changes made to the regulations, with bold lettering as new language and bracketed language as old language, dated October 20, 2021;
- Notice of Public Comment Period, signed October 20, 2021;
- Affidavit of Notice of Proposed Adoption of Regulations and Furnishing of Additional Information, signed April 22, 2022;
- Affidavit of Publication for the Public Notice, Anchorage Daily News, signed October 22, 2021;
- Affidavit of Cancellation of Oral Hearing, signed April 18, 2022;
- Response To Comments, dated April 18, 2022;
- Affidavit of Agency Record of Public Comment, signed April 18, 2022;
- Explanation of Proposed Changes, October 2021;
- Volume III, Appendices, Section II.A, State Air Statutes and Regulations, adopted July 29, 2022.

MEMORANDUM

State of Alaska

Department of Environmental Conservation
Office of the Commissioner

TO: Emma Pokon
Deputy Commissioner

DATE: July 29, 2022



PHONE NO: 465-5065

FROM: Jason W. Brune
Commissioner

SUBJECT: Delegation of Authority

In accordance with AS 44.17.010 I delegate the authority and responsibility for the functions vested in the department to Emma Pokon, Deputy Commissioner. This delegation is effective Saturday July 30 through Thursday August 11, 2022. The delegation will be used after all attempts to contact the Commissioner during his travel status have been made.